

## **Resumé**

The topic of this diploma thesis is Constitutional aspects of postal voting in the exercise of the right to vote. The main aim of this diploma thesis is to provide the answer to the following couple of questions: Should the postal voting be introduced in the Czech Republic? And if the answer is yes, what would be the most suitable form?

The right to vote is an essential part of a democratic state and it is a fundamental right of every citizen of the Czech Republic over 18 years of age. The Czech Republic allows its citizens to exercise their right to vote abroad, however, the current state of the legislation may be considered problematic. In the thesis, I provide the arguments for such conclusion; the main argument being very low turnout of voters abroad in comparison with the estimated number of citizens residing abroad on both long and short term basis. Although all citizens have guaranteed the same rights, the current electoral legislation in fact causes serious disadvantages to the voters abroad; the electoral legislation requires repeated personal attendance in distant embassies, where the voter can exercise his right to vote. Furthermore, I mention the problematic aspects of the right to vote within the territory of the Czech Republic, which are connected especially to the possibility of voters to vote outside their area of residence using the voting card.

I treat the postal voting as a possible solution to the aforementioned situation. Subsequently I summarise foreign legislation as a basis for possible source of inspiration and I deal with the unsuccessful attempts to introduce postal voting in Czech Republic. I also deal with some problematic aspects of the idea of postal voting. These are mainly the questions of secrecy of the ballots and personal vote, as well as the problems connected to the fact that postal voting is exercised in advance and problems arising out of the necessity to incorporate the new method of exercising the right to vote to the current legislation. For each of the mentioned areas of interest I present possible solutions as well as both their evaluation and consequences. I summarise the possibility of introduction postal voting to various types of elections in Czech Republic from the perspective of both the voters abroad and at home. I draw the attention to the possible wider changes that may accompany the introduction of postal voting. Finally, I draft the outlines of the possible most suitable form of postal voting in the Czech Republic.